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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/756,052	01/05/2001	Jun Liu	MSI-711US	4697
22801	7590	11/24/2003	EXAMINER	
LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			LIANG, GWEN	
			ART UNIT	PAPER NUMBER
			2172	9
DATE MAILED: 11/24/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/756,052

Applicant(s)

LIU ET AL.

Examiner

GWEN LIANG

Art Unit

2172

—The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

THE REPLY FILED 12 November 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.
ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
(a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
(b) ☐ they raise the issue of new matter (see Note below);
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
(d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☐ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____

Claim(s) objected to: _____

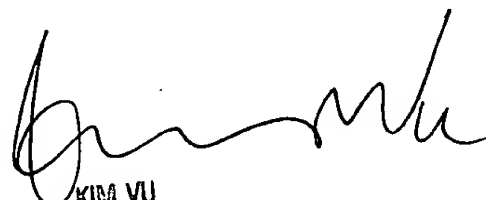
Claim(s) rejected: 1, 2, 4, 5, 8, 9, 11, 12, 15, 21, 23, 25-30, 32, 33.

Claim(s) withdrawn from consideration: _____

8. ☐ The drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

Continuation of 5. does NOT place the application in condition for allowance because: The proposed claims 1, 8, 15, 21 and 29 do not place the claims in condition for allowance.

The applicant's arguments regarding 'the cited references fail to disclose ... "associating each resulting processed image with a unique identifier derived therefrom".' (on page 11 lines 6-9 in Applicant's REMARKS filed on 11/12/2003) have been considered but they are not persuasive. The limitation of "associating each resulting processed image with a unique identifier derived therefrom" is taught in Spanbauer (page 2 paragraph 12 - page 3 paragraph 1). Spanbauer teaches that patch comes as a collection of files compressed into one or more archive files. Each archive file in this case is a processed image. Firstly it is obvious that each archive file is identified by a unique filename, which is a unique identifier associated with its corresponding processed image. Secondly, since the one or more archive files serve as patches to fix bugs, it is well known in the art that the filename of each such archive is associated with the unique contents of the source fixes compressed into each archive in order to identify information such as the software version that the patch is targeted to fix, and the version of the patch. Normally if the version of a patch (in compressed archive form) is higher than that of a software program, it is an indication that this patch is needed to update the software program to a newer version. Also among multiple patches, the different version numbers contained in the filenames also indicate the execution order of those patches. Based on the above reasoning, the filename of an archive file is derived from the contents of the archive (i.e. version number in a filename indicates the version of update to which file contents is associated). Thus the limitation of "associating each resulting processed image with a unique identifier derived therefrom" is taught in Spanbauer. Therefore, the Examiner maintains that all the pending claims are rejected as stated previously in the Final Rejection Office Action mailed on 9/3/2003..



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